

Appl. No. 10/030,903  
Amdt. dated December 7, 2003  
Reply to Office action of August 7, 2003

## REMARKS

Reconsideration is respectfully requested.

The Examiner has withdrawn the previous allowance of claims 1, 3 and 14, based on new rejections. However, claims 4-9 and 16-21 are indicated as being allowable if claim 4 is rewritten to independent form. Claim 4 is rewritten in independent form.

Claims 1, 2, 11, 14 and 22 are rejected as being anticipated under 35 U.S.C. §102(e) by U.S. 6,325,492. Claim 12 is rejected as being obvious in view of the combination of Koitabashi et al and U.S. 6,033,051. The Examiner refers to FIG. 4, and column 12, lines 27-30 and 52-55. To further prosecution of the application and put it into allowable form, applicants cancel these claims herein, with reservation of right to file continuation applications directed thereto.

Claim 13 is rejected as being obvious in view of the combination of Koitabashi et al, Kaneko et al (as applied to claim 12) and further in view of Hosono, U.S. 6,488,354. Applicants respectfully traverse. Hosono does not qualify as prior art, because it has a filing date of December 5, 2000, whereas the present application is deemed to be filed in the U.S. as of the international filing date of July 12, 2000. Therefore, Hosono is not prior to applicants' filing date. Applicants rewrite claim 13 to independent form and it is accordingly submitted to be allowable.

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Claims 3 and 15 are rejected by the addition of Ishinaga et al (U.S. 6,199,972). The Examiner refers to column 7, lines 20-44 of Ishinaga to teach timing of ink ejection in correspondence with the shape of the ink liquid face. This document is teaching that operations are made so that the meniscus of the ink M is pulled inwardly (see FIG. 2C) before an ink ejection operation is made, and this allows less ink to be ejected. Other portions of the document, such as at column 10 where a Third Embodiment is discussed in connection with FIGS. 9A-9E, discuss steps taken to prevent the meniscus from expanding outwardly from the print head, in order to provide more stability to the next discharge.

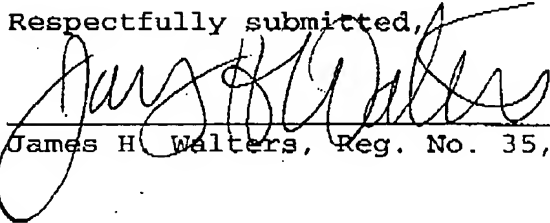
However, this is rather opposite from what applicants' claimed invention is doing, wherein it is desired to time the discharge activation with the maximum extension of the ink face outwardly, to obtain a maximum discharge volume of ink, for recovery purposes. Claims 3 and 15 are amended herein to be in independent form and to clarify that the discharge timing is made with respect to the maximum outward extension of the ink face, for recovery purposes. The Ishinaga document teaches against such operation, as Ishinaga is trying to prevent discharge during the maximum meniscus extension, which is opposite of and teaches against what applicants are doing. Claims 3 and 15 are respectfully submitted to be allowable.

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Claim 14 is amended to depend on claim 15 and is thus also allowable.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,

  
James H. Walters, Reg. No. 35,731

Customer number 802  
DELLETT AND WALTERS  
Suite 1101  
310 S.W. Fourth Avenue  
Portland, Oregon 97204 US  
(503) 224-0115  
DOCKET: I-184

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